

## Calendar No. 362

110TH CONGRESS }  
1st Session }

SENATE

{ REPORT  
110-164

### COLUMBIA-PACIFIC NATIONAL HERITAGE AREA STUDY ACT

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SEPTEMBER 17, 2007.—Ordered to be printed

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Mr. BINGAMAN, from the Committee on Energy and Natural  
Resources, submitted the following

### R E P O R T

[To accompany H.R. 407]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 407) to direct the Secretary of the Interior to conduct a study to determine the feasibility of establishing the Columbia-Pacific National Heritage Area in the States of Washington and Oregon, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

#### PURPOSE

The purpose of H.R. 407 is to direct the Secretary of the Interior to conduct a study to determine the feasibility of designating certain coastal areas in Clatsop County, Oregon, and Pacific County, Washington, and a corridor along the Columbia River as the Columbia-Pacific National Heritage Area.

#### BACKGROUND AND NEED

Following the completion of the Lewis and Clark Expedition Bicentennial Commemoration that took place in Clatsop County, Oregon, and Pacific County, Washington, in 2005, community leaders recognized the national significance of the heritage culture, and legacy of the region. The bicentennial celebration efforts greatly enhanced local community pride and resulted in several projects related to the heritage of the area, including the designation of the Lewis & Clark National Historical Park, construction of the “Fort to Sea” trail in Oregon and the Discovery Trail in Washington, and development of heritage monuments in both States.

H.R. 407 authorizes a study to be undertaken to assess the feasibility of designating this area as a national heritage area, in furtherance of the previous efforts described above.

#### LEGISLATIVE HISTORY

H.R. 407, sponsored by Representative Baird, passed the House of Representatives by a voice vote on May 7, 2007. Companion legislation, S. 257, was introduced by Senators Smith, Murray, Wyden, and Cantwell on January 11, 2007. The Subcommittee on National Parks held a hearing on S. 257 on March 20, 2007 (S. Hrg. 110–73).

At its business meeting on July 25, 2007, the Committee on Energy and Natural Resources ordered H.R. 407 favorably reported.

#### COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on July 25, 2007, by a voice vote of a quorum present, recommends that the Senate pass H.R. 407.

#### SECTION-BY-SECTION ANALYSIS

Section 1 contains the short title, the “Columbia-Pacific National Heritage Area Study Act.”

Section 2 defines key terms used in the bill.

Section 3(a) directs the Secretary of the Interior, in consultation with the managers of Federal lands within the study area, appropriate State and local governmental agencies, tribal governments, and other interested organizations, to conduct a study to determine the feasibility of designating the study area as the Columbia-Pacific National Heritage Area.

Subsection (b) sets forth the requirements for the study. The study is to include analysis, documentation, and a determination whether the study area has an assemblage of natural, historic, and cultural resources that represent distinctive aspects of the heritage of the United States, in addition to several other criteria listed in the subsection.

Subsection (c) requires the Secretary, in conducting the study, to analyze the potential impact that designation of the area as a national heritage area is likely to have on privately-owned land within the study area.

Section 4 requires the Secretary of the Interior to submit a report to Congress within three fiscal years after funds are made available for the study, describing the findings of the study and any conclusions and recommendations.

#### COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

JULY 31, 2007.

Hon. JEFF BINGAMAN,  
*Chairman, Committee on Energy and Natural Resources,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 407, the Columbia-Pacific National Heritage Area Study Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Tyler Kruzich.

Sincerely,

PETER R. ORSZAG.

Enclosure.

*H.R. 407—Columbia-Pacific National Heritage Area Study Act*

H.R. 407 would direct the Department of the Interior (DOI) to conduct a suitability and feasibility study of designating coastal areas in the Pacific Northwest as the Columbia-Pacific National Heritage Area. Based on information from the DOI, CBO estimates that implementing H.R. 407 would cost less than \$500,000, assuming the availability of appropriated funds. Enacting the legislation would not affect direct spending or revenues.

H.R. 407 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contacts for this estimate are Tyler Kruzich and David Reynolds. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 407. The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 407, as ordered reported.

EXECUTIVE COMMUNICATIONS

The testimony provided by the Department of the Interior at the March 20, 2007, Subcommittee hearing on the Senate companion measure, S. 257, follows:

STATEMENT OF DANIEL N. WENK, DEPUTY DIRECTOR,  
 NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to provide the Department of the Interior's views on S. 257, a bill to authorize the Secretary of the Interior to conduct a study to determine the feasibility of establishing the Columbia-Pacific National Heritage Area in the states of Washington and Oregon.

The Department supports enactment of S. 257 with amendments that are described later in this statement. These amendments would make the study requirements in S. 257 fully consistent with the criteria for National Heritage Area studies that were included in the Administration's proposal for National Heritage Area program legislation that was transmitted to Congress last July. Bills were introduced in the 109th Congress (S. 243, H.R. 760 and H.R. 6287) that incorporated the majority of the provisions of the Administration's proposal, and S. 243 passed the Senate. During the 110th Congress, a similar heritage area program bill, S. 278, has been introduced, and we look forward to continuing to work with Congress on this very important issue.

While the Department supports the authorization of this study, we also believe that any funding requested should be directed first toward completing previously authorized studies.

With 37 national heritage areas designated across 27 states, and more heritage area legislative proposals in the pipeline, the Administration believes it is critical at this juncture for Congress to enact national heritage area program legislation. This legislation would provide a much-needed framework for evaluating proposed national heritage areas, offering guidelines for successful planning and management, clarifying the roles and responsibilities of all parties, and standardizing timeframes and funding for designated areas. Program legislation also would clarify the expectation that heritage areas would work toward self-sufficiency by outlining the necessary steps, including appropriate planning, to achieve that shared goal.

Where the mighty Columbia River meets the Pacific Ocean, a unique confluence of American history unfolds. For many millennia, the broad, fog-shrouded, and dangerous Columbia River served as the home to the Chinookan people. Over the years, the Chinook, Clatsop, Willapa, Wiakakum and Cathlamet people developed a rich and complex society based upon trade and the use of the abundant natural resources. These people continue to live and work to keep their culture alive throughout the region.

The entrance yielded to 18th Century maritime and continental explorers after Captain Sir Francis Drake and Captain Cook sailed off the coast in search of the fabled Northwest Passage. In 1792, the first ship under United States command in the Pacific Ocean, the Columbia Rediviva, was the first non-native ship to enter the mouth of the great river of the west. Captain Robert Gray named the four-mile-wide river after his ship. Two months later, one of British Captain George Vancouver's ships sailed up the Columbia River and claimed both banks of the river for England. This created international tensions over disputed territory that would remain unresolved for over 50 years.

International commerce flourished as American and European ships sought to trade with the Chinook for furs.

Ships would travel around Cape Horn, trade for furs along the Columbia, then sail to China where the furs would be traded for silk, spices, porcelain, and other goods.

In 1805, thirteen years after Captain Gray first entered the Columbia River, the Lewis and Clark Expedition made the first overland journey to the mouth of the Columbia, reaching their destination of the Pacific Ocean. The Expedition wintered at Fort Clatsop and successfully returned home. The Corps of Discovery's arrival and stay is commemorated at the sites of the Lewis and Clark National Historical Park and at state park sites in Washington and Oregon, which are working in partnership with the National Park Service to preserve and interpret the Corps of Discovery story.

In 1811, John Jacob Astor established the first permanent American settlement west of the Rocky Mountains, in Astoria. At the outbreak of the War of 1812, Astoria was sold to the British Hudson's Bay Company and was not returned to America until the late 1820's. After more than 50 years of contentious British and American ownership, possession of the region was not resolved until both banks of the Columbia became undisputed United States territory in 1846. Today, Astoria is known for its Historic Districts with Victorian and Craftsman-style homes stacked along its steep hillsides with an active working waterfront.

The natural geography of the Columbia River provided a ready-made homeland defense for Native Americans. At the start of the Civil War, the United States Army followed the example of the native people and constructed forts and coastal defenses at the mouth of the Columbia. Fort Stevens, Fort Columbia and Fort Canby (at Cape Disappointment) remained in continuous operation guarding the Columbia River entrance from the Civil War through the end of World War II.

The confluence of the Columbia River and Pacific Ocean has become known as the "Graveyard of the Pacific." Hundreds of ships lay wrecked at the entrance and along the nearby coast. In order to further trade and commerce, the United States has worked for nearly 150 years to make navigation of the Columbia River safe for mariners. Today, the United States Coast Guard serves as the sentinels of the river, where every year they protect thousands of lives and millions of dollars in property.

For the last 200 years, people from all over the world have settled in communities of the region to work in the industries in the area—fishing, canneries, ship outfitting, timber harvesting, milling and transportation, and international trade. These resource-based industries have played and will continue to play a significant role in the region's heritage.

The rich history of this region is set against a backdrop of rugged scenic beauty. It includes the headlands at Ecola and Cape Disappointment State parks, old growth forests in the Willapa National Wildlife Refuge, abundant wildlife in the Lewis and Clark and Julia Butler Hansen National

Wildlife Refuges, and miles of gentle beaches on the Long Beach Peninsula and at Seaside, Oregon.

The study authorized by S. 257 would cover four counties close to the confluence of the Columbia River and the Pacific Ocean where there is a strong, broad-based local support for protecting and promoting these resources. It is estimated to cost between \$200,000 and \$300,000.

S. 257 contains most, but not all, of the criteria for National Heritage Area studies that the National Park Service believes is essential for evaluating the feasibility of designating a National Heritage Area. The bill omits criteria related to the identification of a local coordinating entity and its roles and responsibilities. It also omits criteria related to development of a conceptual boundary map. We would be pleased to work with the committee to develop amendments that would address these matters.

Mr. Chairman, that concludes my testimony. I would be pleased to answer any questions you or other members of the committee may have.

#### CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act H.R. 407, as ordered reported.

